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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/206,663	12/07/98	SKEEN	VIT02

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WM01/1122

EXAMINER

RONES, C

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 11/22/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/206,663

Applicant(s)

SKEEN, MARION D.

Examiner

Charles L. Rones

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2771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Risberg et al. U.S. Patent No. 5,339,392 ('**Risberg**').

**Risberg** discloses:

3. As to claim 1,

means for receiving complex queries posed by a plurality of users wherein user defined scripted commands are deemed to be complex queries executed on a network providing for a plurality of users; See 2:7-15; 4:8-29; 8:55-58; 10:54-34; 23:24-36; 65:37-67; Fig. 37;

means for providing for each of the queries an executable query process furnishing a result when data sources satisfy constraints (limits, threshold) of the query; See 2:7-15; 8:19-58; 10:5-34; 23:5-67;

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means for providing data sources, the data sources including an event source wherein an event trigger is deemed to operate from a source; See 2:7-15; 3:14-61; 8:55-67; 10:5-34; 16:10-18; 27:1-10; 28:40-47; 66:10-15;

means for furnishing results of executed query processors to users; See 3:32-67; 4:1-8; 10:29-34; 11:18-35; 22:25-29; 28:50-67.

4. As to claim 2,

means for responding to an event comprises means for providing an index for testing whether constraints of a query process match attributes of events wherein comparing data fields (attributes) of a database are deemed to be done using an index of the data fields; See 9:20-27; 16:8-18; 23:1-67; 28:30-61.

5. As to claim 3,

all query processes having constraints matching attributes in an event are executed simultaneously; See 10:29-34; 23:48-55; 26:10-20; 60:1-37; 90:21-25; 92:38-51; 99:10-16.

6. As to claim 4,

a query process is persistent until removed; See 23:48-55; 24:18-22; 25:3-32; 35:60-67; 37:16-22; 44:3-66.

7. As to claim 5,  
means for providing for each of the queries an executable query process  
includes means for changing the query processes for which results are required  
(deemed to occur while the process is functioning); See 4:23-29; 5:3-18; 10:5-28; 20:53-  
58.

8. As to claim 6,  
means for furnishing results of executed query processes to users comprises  
means for providing results to users whenever incremental changes in query results  
occur; See 3:48-66; 10:5-33; 11:16-35; 12:45-50; 18:55-60; 22:10-29; 23:48-55; 24:18-  
28.

9. As to claim 7,  
means for providing results to users whenever incremental changes in query  
results occur includes means for determining incremental changes in query results; See  
3:48-66; 10:5-33; 11:16-35; 12:45-50; 18:55-60; 22:10-29; 23:48-55; 24:18-28.

10. As to claim 8,  
the data sources comprise event service (deemed to furnish events); See 24:16-  
28; 27:1-10; 28:40-61; 45:40-61; 45:13-20; 92:38-51; 115:3-14.

11. As to claim 9,

means for furnishing results of executed query processes to users comprises an event service; See 24:16-28; 27:1-10; 28:40-61; 45:40-61; 45:13-20; 92:38-51; 115:3-

14.

12. As to claim 10,

means for providing data sources comprises means for providing historical data (deemed to be from a source of historical data); See Fig. 1; 3:41-66; 10:5-33; 12:45-50; 18:56-60; 90:7-11.

13. As to claims 11-20,

Risberg discloses the process and apparatus as described above in the corresponding claims above, therefore these claims are likewise rejected as stated above. See Abstract and column 2, lines 26-31.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-9707. The fax phone

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numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



**Charles Rones**  
**Examiner 2171**  
**Group 2100**

November 13, 2000